

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL 2327

THIS DOCUMENT RELATES TO CASES
IDENTIFIED ON EXHIBIT A

**TRANSFER ORDER
FOR CASES ON EXHIBIT A**

The individual cases on Exhibit A were directly filed in the United States District Court for the Southern District of West Virginia and are related to MDL 2327 (“Ethicon MDL”), 2:12-md-2327, one of seven MDLs assigned to me by the Judicial Panel on Multidistrict Litigation and totaling over 100,000 cases since inception. Of the approximately 39,616 cases originally filed in or transferred to the Ethicon MDL, 498 remain. Of the remaining 498 cases, 19 are listed on Exhibit A and are ready to be transferred to the appropriate jurisdiction. In particular, the time to conduct discovery is complete in the cases on Exhibit A, and the parties have had time to file dispositive and *Daubert* motions, responses and replies. For the convenience of the parties and in order to promote the final resolution of these cases, it appears to the court that the cases would be more expeditiously concluded in the venues from which they arise. The parties have indicated collectively to the court or the court has determined that proper venue resides in the United States District Courts identified in Exhibit A. ***Upon transfer, I urge the receiving court to immediately set these cases for trial without reopening discovery. Further discovery will only result in unjust delay. Extensive development of these cases over a period of years has made such further action completely unnecessary.***

Accordingly, pursuant to 28 U.S.C. § 1404(a), it is **ORDERED** that on **June 5, 2020** (14 days after the entry of the order) (hereinafter the “Transfer Date”) the cases identified on Exhibit A that are *still pending* shall be transferred to the United States District Courts identified on Exhibit A. On or before **June 4, 2020** (13 days after the date of entry of the order), the parties are **ORDERED** to confer and to file in each individual member case identified in Exhibit A, all documents from the main MDL that the parties jointly deem relevant to constitute an appropriate record for the receiving court to consider. When filing the documents from the main MDL, the parties are directed to use the CM/ECF event entitled “Designation of Record for MDL Transfers” (available under Civil > Other Filings > Other Documents). When completing the event, the “Main Document” should be the list of joint designations from the main MDL, and the “Attachments” should be each individual document on the joint designation list with the “Description” being the ECF number and a brief description of the document (i.e. ECF 96 – Joint Stipulation of Experts). All cases on Exhibit A that are pending on the Transfer Date shall be transferred, and the parties shall bear the consequences in the receiving court of any failure to prepare an appropriate record as directed in this order. The parties and the receiving court are advised that all Pretrial Orders entered in this matter are available for review on the court’s website at www.wvsc.uscourts.gov/MDL/2327/orders.html and the master docket sheet can be found on this court’s CM/ECF at 2:12-md-2327. *Finally, the court advises the parties that while the docket of the individual case will transfer to the receiving court, it is the parties’ responsibility to follow the receiving court’s procedure for identifying any individual motions that remain pending and in need of ruling.*

On the Transfer Date, the Clerk is hereby **DIRECTED** to use the appropriate function in CM/ECF to extract each member case listed on Exhibit A that remains pending and transfer it to

the corresponding United States District Court listed on Exhibit A. After transfer of each member case listed in Exhibit A that is not dismissed prior to the Transfer Date, the Clerk is **DIRECTED** to formally close the case and strike it from the docket of this court.

The court further **DIRECTS** that a copy of this order and Exhibit A be filed in every case listed on Exhibit A and sent to counsel of record or any unrepresented party for the cases listed on Exhibit A.

ENTER: May 22, 2020



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A

	Civil Action No.	Last Name	First Name	Venue
1	2:15-cv-11659	Brown	Joan Anderson	Southern District of Florida
2	2:15-cv-00976	LaFlesh	Tia L. Spinner	Northern District of New York
3	2:13-cv-32395	Ream	Jane Ella Mitzel	Middle District of Pennsylvania
4	2:13-cv-33420	Roundine	Laura Vielle	District of Montana
5	2:14-cv-00055	Simpson	Nebra A.	Northern District of Ohio
6	2:14-cv-01386	Whitson	Emily	Eastern District of Tennessee
7	2:14-cv-01143	Bacon	Cheryl Annette Banks	Northern District of Georgia
8	2:16-cv-03726	Bargiol	Debra L. Chestnut Cassidy	District of South Carolina
9	2:15-cv-02880	Christie, deceased	Rita G. Ackerd Graham Revere Bezaire	Northern District of California
10	2:15-cv-12757	Fernandez	Marta B.	Southern District of Florida
11	2:16-cv-08011	Hebert	Patricia E. Garrett Connor	District of Massachusetts
12	2:13-cv-28084	Hoffman	Christine R. Manard	Western District of Virginia
13	2:14-cv-07903	Howard	Jamie Michelle	District of Arizona
14	2:17-cv-01669	Lopez	Eneida	Eastern District of Pennsylvania
15	2:15-cv-05222	Navarro	Marguerite A. Rose Kanzinger	District of Hawaii
16	2:16-cv-09883	Pike	Carol Lynn VanderCoalien	Western District of Michigan
17	2:14-cv-22177	Reiss	Lina Magalhaes Santos	Southern District of New York
18	2:14-cv-19739	Roman	Yvonne Rodriguez	Southern District of New York
19	2:12-cv-05305	Smith, deceased	Teresa R. Mosley	Eastern District of Michigan